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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,095	05/31/2001	Mark L. Roth	SUN1P297/P5168	3100
22434	7590	12/09/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			UNGAR, DANIEL M	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/873,095

Applicant(s)

ROTH ET AL.

Examiner

Daniel M. Ungar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 60/368,947
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2132

1. Claims 1-19 have been examined.

**PRIORITY**

2. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(e). The certified copy has been filed in Provisional Application No. 60/208,997, filed on June 1, 2000.

**CLAIM REJECTIONS - 35 U.S.C. 112**

3. Claims 6-9 and 15-18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 6 and 15 recite the limitation "the set of security registration requirements", which lacks antecedent basis. Note that claim 3 does recite "a set of user security requirements", but claim 3 is not antecedent of this claim(s). Note further that the limitation "user profile data requirements" is presumed not to require antecedent basis (i.e. "the set of" before "security requirements" does not also modify "user profile data requirements"), because there is no antecedent basis for this limitation either.
5. Claims 7 and 16 recite the limitation "the forwarding". There is insufficient antecedent basis for this limitation. Note that claim 2 does recite "forwarding the filled out user information request page", but claim 2 is not antecedent of this claim(s).
6. Claims 8, 9, 17, and 18 are rejected as being indefinite for being dependent on indefinite claims.

**CLAIM REJECTIONS - 35 U.S.C. 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2132

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Regarding claims 1-2, 10-11, and 19, Levergood, et al. disclose, in a browser/server environment, a server requesting credentials from a user “which causes the client browser to prompt the user for credentials”, requiring the user to fill out and return information and security data. (see column 6, lines 44-57; Figure 5). This meets the limitations claimed of forming and sending a user information request page. This also meets the limitations of returning the user information request page through a server target on the application server, and of forwarding it to the application on the application server.

Levergood, et al. disclose the use of information and security data provided by the user to initiate a new user account in the database (see column 3, lines 28-38; column 6, line 58 – column 7, line 14), which meets the limitation of bootstrapping a user account in the user database by the application server based upon the extracted security data.

9. Regarding claims 3 and 12, Levergood, et al. disclose that “the authentication server checks to see if the user qualifies for a new account” (see column 6, line 67 – column 7, line 3), meeting the limitation of making available a set of user security requirements.

10. Regarding claims 4-5 and 13-14, Levergood, et al. disclose a success target and a failure target to provide respective destinations for the bootstrap attempt. These targets are disclosed as URLs capable of being shown in a browser (see Figure 2B; column 7, lines 51-67).

11. Regarding claims 6-9 and 15-18, Levergood, et al. disclose merging the set of security registration requirements and user profile data requirements to collect corresponding user profile data from the user. They are forwarded back, extracted, and stored in a user profile database (see column 6, line 58 – column 7, line 14).

Art Unit: 2132

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent 5,768,510 to Gish

US Patent 5,848,412 to Rowland, et al.

US Patent 6,023,698 to Lavey, et al.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel M. Ungar whose telephone number is 571.272.7960. The examiner can normally be reached on 8:30 - 6:00 Monday - Thursday, Alt. Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571.272.3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2132

Daniel M. Ungar



THOMAS R. PEESO  
PRIMARY EXAMINER